

RETURN to an Order of the Honourable The House of Commons,  
dated 8 June 1877;—*for*,

COPIES "of a MINUTE by the Lord Chancellor of *Ireland* upon the Case of  
Mr. Anketell, J.P., D.L.;"

"And of NOTES of an INQUIRY held upon the Subject at *Emysale*, by  
Dr. *Battersby*, Q.C., on the 24th and 25th days of April 1877."

COPY of a MINUTE by the Lord Chancellor of *Ireland* upon the Case of  
Mr. Anketell, J.P., D.L.

THE complaint against Mr. Anketell is for the destruction of two dogs upon  
the night of the 31st of August last, in the village of *Emysale*.

The transaction was the subject of a civil proceeding, finally heard and  
adjudicated upon before Mr. Justice Barry, at the last assizes for the county of  
Monaghan.

It is not the practice to take a note of the evidence on Civil Bill Appeals, nor  
(as the learned judge with whom I conferred respecting the case, informed me)  
was Mr. Anketell examined. An inquiry has therefore been held, where the  
evidence for and in answer to the complaint has been taken; and from the  
peculiar nature of the case, I think it advisable to state the conclusions at  
which I have arrived, after an examination of that evidence.

I. The act cannot be legally defended upon the ground that it was done for  
the protection of property—a defence in some instances extended to the owners  
of animals worried by dogs—for the destruction was effected, not at the time  
the horse was attacked, but subsequently, after the requisite delay in extri-  
cating it from the vehicle, and the return of Mr. Anketell to the place where  
the dogs had originally been.

Neither is any legal defence available, founded upon the dogs being im-  
properly at large in the street, for the remedies, in respect of a matter of that  
kind, are by law given not to individuals, but to justices in petty sessions, who  
have conferred upon them by statute certain powers of ordering dogs to be kept  
under control or destroyed, and of also ordering their destruction, if without  
the prescribed muzzle or log of wood.

The destruction of the dogs must, therefore, be viewed as without any legal  
justification.

II. The character and quality of an illegal act of this kind is, however,  
affected to a considerable degree by the motives from which it arises, previous  
provocation, or other circumstances, tending to render it more or less blameable.  
I see no trace that the conduct of Mr. Anketell was prompted by malice or ill  
will, or in gratification of hostile or angry feelings towards the owners of the  
dogs. It had, so far as I can judge, its origin in resentment for annoyance and  
injury caused by the dogs themselves, arising immediately upon the annoyance  
and injury, and directed solely against the animals, which had caused the  
annoyance and injury. They had by their attack frightened the horse, which  
Mr. Anketell was driving, and caused it to entangle itself in the carriage. Mr.  
Anketell and his servant were thrown out. To release the horse the carriage  
had to be broken; the horse itself was injured. One of the dogs had on a  
previous occasion also alarmed the same horse, and the result had been the  
illness of Mrs. Anketell.

III. Whatever, however, may have been the provocation, Mr. Ankettell's conduct must be condemned. Whether it be for the injury to his horses, or future protection against the recurrence of the misbehaviour, the law gave him redress. Instead of availing himself of the remedies it afforded, he determined himself to destroy the dogs, and, in the mode he adopted, appears to have lost all self-control; for, unless angry feelings had wholly overmastered reflection, I cannot conceive that either he, or anyone else, would have adopted the means for their destruction which he did.

IV. In the views I have expressed, under the heads I., II., III., I feel the more confidence, because they are in concurrence with those formed by the learned judge who tried the civil action at the assizes, and were all—and not merely the value of the dog, taken into account by him when making his decree.

V. Censuring, therefore, severely Mr. Ankettell's conduct, I yet refrain from dismissing him from the magistracy. Different considerations apply, when the question is withholding the appointment, and when it is depriving after it has been conferred. The illegal act arose from much provocation. It did not occur in the discharge of, or in connection with, his duties as a magistrate. Concerning the discharge of those duties, no complaint has ever reached me. He has, in a published letter, acknowledged the wrong and expressed his regret. I would hope he will use the opportunity afforded him to justify, by future prudence and caution, his continuance in office.

(signed) J. T. Ball, C.

#### IN RE ANKETTELL.

NOTES of INQUIRY at ERYVALE, 24 and 25 April 1877.

ARMSTRONG, RUTHEN.—My house is the first in the village of Eryvale at the Anglemoebog end to the left hand as you enter. On the night of the 31st August 1874, I was awoken by the barking of dogs and people talking at the back of my house. My son John was in bed. I ordered him to rise. I did not see the people. I saw my dog dead a few days after. I had put the dog out of the house into the street before I went to bed. The dog had a leg on when I turned him out. On the 21st September Mr. Johnson, the head constable, had a summons against Mr. Ankettell for killing my dog; Mr. Scott, J.P., was there; Mr. Ankettell was also there. I was not examined by Johnson. My son gave evidence. I was there again in October. The same justice was there, and also Mr. White, a M. Mr. Given, Mr. Ankettell's attorney, asked for an adjournment. Mr. Moore, my attorney, would not allow it at first, he afterwards withdrew the cases until the civil actions should have been tried at Monaghan. Mr. Ankettell paid for 40*l.* damages for injuring his carriage and horse. I sued for 20*l.* for killing my dog. The action was tried at Monaghan before Mr. Baron. Mr. Ankettell was examined, but not Constable Johnson; I got a decree for 10*l.* Mr. Ankettell appealed to the Assizes; I and my son and Constable Johnson, but not Mr. Ankettell, were examined there. Johnson was the only witness there for Mr. Ankettell. The judge reduced the decree to 5*l.*, and this was paid. The dog was a sheep dog. I have no sheep now any had except scarcely an acre. Mr. Ankettell never complained to me of my dog. I instructed Cecil Moore, my attorney.

*Cross-examined.*] Mr. Wright offered me compensation after the dismissal of the first summons. I paid 2*l.* for all the law, I can't tell to whom. I put out the dog into the street at night as usual. I heard violent barking; all the dogs bark. I knew Mullin; he complained to my boy of my dog, but not of the same dogs; that dog that was killed; he told him he must shoot the dog; the colour of the one killed was black with white on his breast; he was registered, and had a leg on that day. I saw the leg on the nail of the barn on the 1st September. It was on him when I turned him into the street the night before. Mr. Kelly got 1*l.* compensation. C. Moore, my attorney, put the Humane Society in motion to prosecute Mr. Ankettell; Mr. Wright sent Mr. Woods, Mr. Ankettell's agent, to make me offers. When I told Mr. Moore he did not tell me to go on with the law. Mr. Irvine asks, why did you refuse the offers? No answer.

A letter from Mr. Cecil Moore, Mrs. Armstrong's attorney, to Captain Ellis, a friend of Mr. Ankettell's, is here read by consent, viz.—"Onagh, 10 September 1876.—My dear Ellis, you have taken such an interest in this horrible case of Ankettell's, I do not hesitate to tell you all the facts, as on his father's account I don't want to bring unnecessary disgrace upon him, but he must pay handsomely for such an outrage. You say you would

wonder who has put the Humane Society in motion. I reply, it is done under my advice, so that we may be fully prepared with the evidence on the trial of the record in Dublin in November. The summons and plaint are ordered in both cases by my son, and I fancy a Dublin jury will give sweeping damages in a case of the kind. You say you would wish the case hushed up; if so, let Mr. Anketell send you down 50*l.*, and on receipt of it I shall do all I can to withdraw all actions, and shall try and get the society to forego further proceedings, on the grounds of Mr. Anketell having compensated the parties fully; and if they do not withdraw, I will, or my son will, attend the Bench, and state Mr. A. has already fully compensated and made amends, and thus got a nominal fine. If Mr. Anketell does not at once adopt this course he need not expect any favour from the hands of, yours faithfully,—Cecil Moore. N.B. This letter is not to be made use of, if my proposal is not accepted. I consider each party would get 100*l.* damages on a trial."

ARMSTRONG, WILLIAM JOHN.—I am son of Rachel, and 20 years of age; I live with her. In the night of the 31st August I was in the house. I heard a noise, and went to the door; the dog was harking behind the house; there is an open front back to front of house. I saw Sergeant Johnson; some one said, "Sir, he's gone to the field to catch him for you." I was not dressed; I saw no one then; I dressed and came out again; between first and last, I said, "Sir, what are you doing here?" He said, "Mr. Anketell wants to see your dog." I went to the back of the house. I saw Mr. Anketell and his coachman, Mackett, at the rear, in front of the cowhouse door. Mr. Anketell asked, "Is this your dog?" He was outside the door. I said, "Yes, sir." He told me to catch him. Mackett prevented him from running out, and he ran in again. Mr. Anketell told me to catch him. I did catch him by the ear; he took the dog out of my hand by the hook of the neck, and carried him to the front of the street, and said, "I'm damned if I let any dog be the county conquer me." I followed him; Johnson followed round, and also Mackett. Mr. Anketell went to the opposite side of the street, holding the dog in his left hand, and struck him with his right hand. I saw nothing in his hand. He threw the dog down, and it ran to the door with the blood running from his throat. He tried to get in, and stood at the door. I took him from the door; he fell, and died in about 20 minutes. Johnson and Mackett were present when he was stabbed. I turned down the street. McNally, the owner of the other dog, lived at McMahon's, the car-driver. I was at the petty sessions on 21st September and 18th October, and at the quarter sessions, and at the assizes. I never knew our dog do any harm to any one. He had a log on when stabbed, and after it he was in the cowhouse when I first saw him. It was a dark night.

Cross-examined.] I swore at quarter sessions that I could see across the street; it was about 2 o'clock in the morning, middling dark; the street is not broad; the men could see the dog running alongside the carriage; it was running along with it. I got a summons in my own name for the killing of McNally's dog. I did not ask it; a few days before the petty sessions I heard of it, the clerk gave it to me to be served; no one authorised me to get it.

JOHNSON, WILLIAM, late Head Constable.—On the 31st August I was sick in bed at the barracks, and about to leave the force. About 1.30 o'clock I was awake by a noise in the street. I heard the vehicle pass. I ordered the men to go out to assist, and I went myself; four men went. I saw Mr. Anketell break the carriage to extricate the horse. He struck it with a sledge-hammer. It was about a quarter of an hour from the time I first heard it until I went down. The carriage was lying on its left side, and the police and people under the horse, keeping it up to prevent its breaking its legs in the fore part of the carriage. The horse was "lumping" when taken out of the carriage. I do not know what was done with him. I am aware he was injured. I went with Mr. Anketell and several of the police, Walker, Tobie, and Platt. I knew McNally; I saw Mr. Anketell holding his dog below the barrack, he took it in his hand. I cannot say if Mackett was present when he took him up, but he was when he threw him down. He asked Mackett for a penknife. I did not see the knife in Mr. Anketell's hand. When the horse was extricated Mr. Anketell asked me to see for the owners of the dogs. I told him one was McNally's; he said he did not care. James Kane, Mr. Anketell, and Mackett walked with me towards Mrs. Armstrong's. There were other dogs harking in the street. I did not see young Armstrong then. I did not say, as young Armstrong said, "He is down in the field looking for him for you." I saw young Armstrong at the door of the yard. I said to him, "They have traced the dog to your place." About half an hour elapsed from the time the carriage was broken until I arrived at Mrs. Armstrong's house. I saw the dog in Mackett's hand. Mr. Anketell went across the street with the dog in his hand. I went to get the owners of the dogs, not to kill the dogs. I spoke to McNally before and after the killing of his dog. I issued a summons against Mr. Anketell for killing the dogs; no one desired me to do so. I gave evidence against him. On the 11th December the Humane Society refused to assist in the prosecution.

Cross-examined.] On the 31st August I was about to leave the force from ill-health. I had no interest in this matter. I was summoned as a witness by both parties and paid by neither. When I went out the horse was lying on one side, over the men who were

keeping him up, and Mr. Anketell working at the risk of his life. When the horse was extricated, Mr. Anketell said he was going to look after the dogs. Young Armstrong did not say to me, "He is going to look for him for you." He did not then deny that his mother's dog did the mischief. I had heard people complain of that dog before. Mr. Anketell told me that the dog had gone to Mrs. Armstrong's, and I went with him to find it. On the 21st September, at Petty Sessions, McNally, young Armstrong, Daly, Mackett, Pratt, Tolin, Peter McTeghan, McMullen, and Moore were examined. I called every witness Moore suggested. Mr. Givon, Mr. Anketell's attorney, also suggested witnesses, and I called them, and the cases were dismissed. The statement that I instituted the proceedings to protect Mr. Anketell is false; I did so only in discharge of my duty. The dogs were barking the barrack side of Mrs. Armstrong's whom I went up, and her dog was away. I heard that Mrs. Anketell's carriage had been attacked by the same dogs on a former occasion, and that she fainted. Mrs. Armstrong's dog was a mongrel, between a sheep-dog and a common cur. The people of the town complained of Mrs. Armstrong's dog going into their houses and snuffing up whatever it could get.

SCOTT, WM., Esq., J.P., M.B.—I am one of the bench of magistrates here. I signed the summonses in the two cases against Mr. Anketell on the 21st September. I was on the bench. There was a summons then by Constable Johnson for cruelty to animals, under 12 & 13 Vict. c. 12, s. 2. It was very fully gone into. There were eleven witnesses examined, and we heard every one most amply. Mr. Anketell left the bench, and never then, nor at any other time, took any part in the proceedings against him. The cases were dismissed. Constable Johnson conducted the prosecution wonderfully well, and showed no feeling. I thought him rather hostile to Mr. Anketell. Mr. Cecil Moore was examined, and invited to suggest other witnesses, and got every facility for doing so. He was attorney for Mrs. Armstrong, and his case was dismissed after having received our best attention. I thought the statute not borne out by the evidence. None of us were actuated by fear, favour, or affection. About seven weeks after there were three mainmores for malicious injuries to property—one by Mrs. Armstrong (Charles Moore's son got it); another by young Armstrong, in the name of McNally (Moore brought it, not young Armstrong). I signed eight summonses. The hearing was adjourned, at the desire of Mr. Anketell's attorney, until the civil actions brought in Oyer and Terminer should be taken at Quarter Sessions. I opposed the adjournment at first; but it is the inevitable course, where there is a criminal prosecution and also a civil action between the same parties, to postpone the former until the result of the latter is known. Mr. Moore thought it fit his advantage, and acquiesced. Mr. White, M.B., Captain St. George, and myself (the presiding magistrates), had no feeling but a wish to do our duty. McNally's summons was withdrawn with consent of Moore. A stab is the regular vein is the quickest and least painful mode of killing a small animal.

ANKETELL, WILLIAM, Esq., J.P.—On the night of the 31st August last, about one o'clock, I was driving from Angharad through Burydd. I know Mrs. Armstrong's house perfectly well; it is the first house to the left as you enter the village. A dog perfectly well known to me rushed out of the entry of her back-yard. My groom was driving quietly. It ran at the forelegs of my horse, barking furiously. Several times within the last eight months it ran at me from the same premises, barking. It had neither leg nor muzzle on it. The mare galloped on about 50 yards, and ran away. I was at the same time attacked by another dog when she ran away, supposed to be McNally's dog, one of those that were in the habit of barking at me. The mare kicked in her gallop, and her hind-legs got entangled when I was going down the slope of the hill, near the barracks, opposite the court-house. The first thing I knew was the groom said, "Her legs are in the irons." We were both thrown out. It was a small new pony-carriage. The hind legs were in the circular iron of the front carriage and the axle. She was leaning to the left side, on the shaft, supported by her forelegs. Five policemen and several strangers came to assist. The first thing to be done was to prop her up on the left side in order to prevent her falling. She could not turn on her hind-quarter without breaking her legs. I got a hatchet and cut away the wood, and bent the irons, and got the legs out. They were very much lacerated. All the woodwork of the front carriage was broken and the irons bent. The dogs were under the forelegs of the mare attempting to bite. They pursued in full cry, barking. The place of the breakdown was a couple of hundred yards from Mrs. Armstrong's. I had previously complained several times to Mrs. Armstrong of her dogs attacking me. We were nearly an hour trying to extricate the mare. All that time we were using our necessary endeavours to extricate her, and when she was extricated I went instantly in the direction of Mrs. Armstrong's to find the dogs. I told Constable Johnson two dogs had attacked me. I passed the barracks, and found McNally's dog, a sandy terrier, still barking in the street. I caught him, and I am sure he was the second dog that attacked me. I went at once, on raising the mare, in pursuit of the dogs. I killed McNally's dog by stabbing it in the throat. It is totally untrue that I cut it from ear to ear; it was but one stab, and there was no torture. I then went in pursuit of Mrs. Armstrong's dog in the direction of her house, and still heard him barking. I lost sight of him, but when I got to the house I saw him run into a field by the end of the house. I followed

I followed him. I had met the other dog in the street. I drove him back to Mrs. Armstrong's house. I went into her back yard to a cowhouse, and at the same time her son came round; the dog was still barking in the cowhouse. He brought the dog out of the cowhouse. I was then in the road in front of the house, and he left it down on the road. I lifted it up and killed it exactly as the other dog, instantly with one stab. I hired a car and drove home. The repairs of the carriage cost £1 2s. The mare was worth 35*l*. She could not leave the stable for a fortnight after. She had been perfectly quiet in harness, but has not been so since. I sent my agents, Mr. Wood and Mr. Wright, to offer to compensate Mrs. Armstrong and McNally four or five days after the occurrence. McNally accepted it, Mrs. Armstrong refused, without first consulting Cecil Moore, her attorney.

I had previously received a letter from C. Moore through Captain Ellis, inviting me to settle, and demanding 50*l* if I refused. A copy of it was read yesterday by consent. Captain Ellis did not mark the letter private; he gave me leave to make what use I pleased of it. I thought the demand unreasonable, and did not write to Moore.

On the 31st September Constable Johnson had a summons, dated 11th September, entered against me at petty sessions for cruelly killing two dogs. It was dismissed. There was a second summons at suit of the secretaries of the Humane Society for ill-treating, abusing, or torturing a dog of McNally's, and thereby causing death. Dismissed with 1*l* costs. A like summons for Mrs. Armstrong's dog; dismissed with 1*l* costs. On the 10th October there was another summons at suit of Mrs. Armstrong for unlawfully and maliciously killing her dog. This case was at first adjourned by the Court in order that cross civil actions between the parties for quarter sessions might be first tried. Mr. Moore subsequently withdrew the case. On same day a like summons, obtained by Mr. Moore in the name of W. J. Armstrong, for the killing of McNally's dog, was withdrawn by Mr. Moore. The civil process issued on the 11th October, Mrs. Armstrong claiming 20*l*. for the loss of her dog, and I claiming 40*l*. for injury to my carriage and horse, both to be heard on 23rd October. I appealed from the decree of quarter sessions. But I was foreman of the grand jury at the assizes and could not attend the hearing of the appeal. I was not on the bench at any time when my cases were before the petty sessions, nor did I in any way act as a magistrate about them. About a month before the attack on me Mrs. Armstrong's dog attacked my wife's carriage. She was near her confinement and fainted, and I had to send for the doctor next day.

*Cross-examined.* I offered compensation because I thought I had done wrong. I attended the lecture at Augmadog at half-past ten. I left it after twelve o'clock. I drank two glasses of champagne only. I arrived here about one o'clock. Only two dogs attacked me. I was examined at Quarter Sessions at Monaghan. I saw other dogs—one yellow, one black, two brown. I saw them when going out of the town. The half-black dog attacked me, two others were further down the town. I did say a sandy dog of McNally's attacked me. Only two attacked me, the others I saw afterwards; one near McNally's and one near the bridge. I saw the white feet of the dog that attacked me, and a white spot on his breast. I said the first dog was black, with a white rim partly round his neck and a little white on his chest. I went into Mrs. Armstrong's house through the front door. I was twice in the yard. The dog ran across the field. The yard is not inclosed, but there is a small stone fence to it that I could put my leg over. Mackett saw the dog leave the yard. The same dog that attacked me lurked in the cowhouse. The police were then coming up. He was in the yard when I first came up. I told young Armstrong his dog, or his mother's dog, attacked me. I had remonstrated with her before. I did not then know her name, but I now do. I was in a state of the greatest possible irritation. I did not kill the dogs for their previous misconduct. I had previously remonstrated with Mrs. Armstrong, and frequently with McNally also. I did not try to choke his dog. I asked Mackett for his penknife. The constable said the dog was McNally's. It ran from the back of Mabbion's (the carman's) house, where he lived, to the street. There was another sandy dog, belonging to Woods (my agent). McNally's was bigger for than his. I only saw Mrs. Armstrong's dog in the cowhouse once, when her son brought it out. I remonstrated with Mrs. Armstrong to herself and others several times. I felt the greatest terror in passing her house. I did not know her before. Her dog had the fashion of lying before her door on his fore paws, and making a rush at passers-by. My civil bill process was dismissed. I did not appeal. The Humane Society paid the costs of their dismissal. I am four years in the commission of the peace, my age is twenty-six years. The circular for the meeting to express confidence in me was signed by Patterson (my land steward). There were several influential men at the meeting. When the horse was excited I started immediately with the intention of killing the dogs. I knew the two dogs, and I intended to kill them, and I went with that purpose, but I did not tell the constables so. I did not tell the constable that I knew the names of the owners. The fence behind Mrs. Armstrong's house is composed of loose stones.

**MACKETT, RICHARD.**—On the night of the 31st August I was driving my master's phaeton, when passing Mrs. Armstrong's house a dog rushed out of the entry to the fore legs of the horse, barking and snapping at them; the pony started into a gallop; another dog ran out before we came to the barrack, I can't say from where; he barked with the other; the mare ran away, we were both thrown out. The horse's hind legs got into the

irons round the circle of the lock; ran right down between the irons of the lock, and the other right across the irons. We did our best to extricate them, but we could not. The horse was leaning against the left shaft. I hoisted the barlock off the traces. Five or six policemen came at the right side and lifted the mare; her hocks were all cut, and are still diseased. It was difficult to take her in or out. I put her up, and then followed my master. I was with him at Mrs. Armstrong's; I went into her premises. The dog was barking as we went up in the yard nearest to the rear, and the dog ran away barking over a stone wall of loose stones, which you could step over. I did not see my master take up the dog. After the dog came back into the premises Joseph Armstrong brought him out. I gave my master a punkie. He was at one side of the street, and I at the other. I did not see him kill the dog. I was standing at the entry when he came out, and I walked across the street. I led the pony home; she would hardly walk. I sat up all night stroking her with hot water. About a month before I was driving Mrs. Anketell the dog ran out barking at the pony, as on the 31st August. I jumped off and caught the pony by the head; she did not faint outright, but she became very weak, and I had to get her a glass of water. On several occasions previously the dog ran out barking; he used to make a dash quite sudden. I saw only two dogs on the night of the injury.

*Cross-examined.*] It is about three yards from Mrs. Armstrong's door to the road. I knew both the dogs that were killed as soon as they came out. I saw a white spot on Mrs. Armstrong's dog's foot. Mr. Anketell had the first dog in his hand, and asked if I had a knife. I gave him one. He threw the dog down, and we went in search of Armstrong's dog.

MULLEN, THOMAS.—I am a car owner, and I am in the habit of driving from Aghnashlog to Enniskerry August to November. Mrs. Armstrong's dog used to run out barking and frighten my horse. He did so several times. He sprang on his belly and speared at my horse's nose. On occasion he rushed at my horse, and the horse rushed into the ditch; and if it had been a perch or two further back on the road, the horse and our would have fallen into a precipice. The next night I told Mrs. Armstrong if she did not put away the dog I must shoot him.

*Cross-examined.*] It is a year and a half since I saw the dog. I do not know whether it is the same Mr. Anketell killed.

STEPHENS, ROBERT.—I knew Mrs. Armstrong's dog that Mr. Anketell killed; it frequently ran out barking at the passengers; then the others would join as they went on until they would be all like a pack of hounds hunting. They rushed the whole town. On the night of the 31st August, between nine and ten o'clock Mrs. Armstrong's dog was making towards my stevedore post, but I put him out on the road; sometimes he had a leg on him and sometimes not.

GIVAN, JOHN.—I acted as attorney of Mr. Anketell all through these proceedings. At the first sessions on the 21st September Cecil Moore appeared for the Humane Society and Mrs. Armstrong, and he asked to have the case of the Humane Society taken first, though not first in the list. I asked to have the case taken in their order. The justices took Constable Johnson's case first. I repeatedly stated that there should be no suppression of facts, and that every facility should be given Mr. Moore to investigate them, and I invited him to suggest all the witnesses he wished, and that I should procure them as far as I could; he did suggest several, and they were examined, including Mockett, and the Armstrongs, and Johnson. I appeal that there was not any evidence of cruelty within the statute 19 & 18 Vict. c. 92, s. 2, and the case was dismissed, after an exhaustive hearing. Mr. Moore being absent to leave I invited him to wait and hear the other cases; he left; I asked for costs, and got 1*l.* in each case. I advised Mr. Anketell to bring civil actions in order that he might himself be examined, which he could not be in the criminal prosecutions, and cross actions were brought in the Civil Bill Court, and Mr. Moore withdrew the criminal cases. A jury was sworn in Anketell's case. Moore asked him if he killed the dogs. I prevented him answering, because it would exonerate himself. The chairman then said if he did not answer he would disregard all the evidence offered by him. But he did not say, "I will tell the jury not to believe one word you have said," and the chairman afterwards disclaimed having used any such words. There was a verdict then for 10*l.*, which Judge Barry afterwards on appeal reduced to 5*l.*, in the absence of Mr. Anketell and his witnesses, he being acting as foreman of the grand jury, and unable to attend.

Mr. Hans McMorris, gentleman, attorney, conducted Mrs. Armstrong's case.

Mr. J. Irvine, Esq., barrister, instructed by Mr. W. Givan, conducted Mr. Anketell's case.

George Batterley.



COPY of a Memoir to the Lord Chancellor of  
England respecting Counsel Mr. Ainsworth, &c., &c.,  
and, of some of his Discourses held upon the  
Subject of Slavery, by Dr. Ainsworth, &c., &c., on  
the 24th and 25th April 1817

(See Michael Ainsworth's Memoir)

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